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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,756	12/21/2001	Masayoshi Sekine	35.G2956	3063

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EXAMINER

HERNANDEZ, NELSON D

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/023,756

Applicant(s)

SEKINE, MASAYOSHI

Examiner

Nelson D. Hernandez

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☒ Claim(s) 14 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date April 29, 2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **14** and **15** are rejected under 35 U.S.C. 102(b) as being anticipated by Sakai, US Patent 5,206,730.

Regarding claim **14**, Sakai discloses an image-capturing apparatus (Fig. 1) having a plurality of operation modes, comprising: control means (SSG fig. 1: 1) (SSG 1 controls the operation of the CCD sensor 2, A/D converter 3, frame memory 4, digital processing circuit 5, data compressing circuit 6 and memory 7 by generating the synchronization frequency said circuits) for controlling the operation of the entire image-capturing apparatus; and frequency changing means (Fig. 1: 14) for changing the operating frequency of the control means according to an operation mode being selected at the operation panel (Fig. 1: 13) (Col. 3, line 7 – col. 4, line 29).

Regarding claim **15**, Sakai discloses a control method for an image-capturing apparatus having a plurality of operation modes (serial shot photographing and one shot photographing), comprising: an operation-mode changing step (Col. 3, line 38 – col. 4, line 11) and a frequency changing step, of changing an operating frequency used for control of the image-capturing apparatus according to an operation-mode change (Col. 3, line 7 – col. 4, line 29).

***Allowable Subject Matter***

3. Claims 1-13 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter: the primary reason for indication of allowable subject matter is that the prior art fails to teach or reasonably suggest the limitations having a camera having a function for printing a captured image with the use of an external printing function wherein a clock generating means generates clocks having different operating frequencies for the control means, as between when the printing processing is executed and when the image-capturing means obtains an image.

Regarding claims 1, 4, 8, 9 and 12, Sakai, US Patent 5,206,730 discloses an image-capturing apparatus (Fig. 1) having a plurality of operation modes, comprising: control means (Fig. 1: 13) for controlling the operation of the entire image-capturing apparatus; and frequency changing means (Fig. 1: 14) for changing the operating frequency of the control means according to an operation mode (Col. 3, line 7 – col. 4, line 29). However, Sakai fails to teach or suggest the camera having a function for printing a captured image with the use of an external printing function wherein a clock generating means generates clocks having different operating frequencies for the control means, as between when the printing processing is executed and when the image-capturing means obtains an image.

**Contact**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (703) 305-8717. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson D. Hernandez  
Examiner  
Art Unit 2612

NDHH  
January 21, 2005

  
TUAN HO  
PRIMARY EXAMINER